

Date: March 30, 2016

Manual – Child Care Subsidy and Services Guidance Manual

Transmittal # - 203

The purpose of this transmittal is to provide revised guidance for the Child Care Subsidy Program. Unless otherwise stated, the provisions included in this transmittal are effective April 1, 2016.

This transmittal includes a complete overhaul of the Guidance Document format. The new format is intended to be easier to read and follow. Major changes include the addition of language limiting Fee cases to 72 months, a new requirement that all non-TANF families must cooperate with the Division of Child Support Enforcement and the addition of the Administrative Disqualification Hearing to the program.

This transmittal and manual are available on SPARK at:
<http://spark.dss.virginia.gov/divisions/cc/>

Significant changes to the manual are as follows:

Section	Page #	Significant Changes
		Throughout the document references to “worker” have been updated to the term “Child Care Worker.”
		Throughout the document generic references to “client” have been replaced by “applicant” and “recipient” where appropriate.
		Throughout the document references to the words “the VaCMS” have been replaced with “VaCMS.”
1.1., Definitions	2	Added “services have” to the definition of <i>absence</i> for clarity.
	2	Added definition of <i>Administrative Disqualification Hearing</i> .
	2	Added definition of <i>appellant</i> .
	2	Updated definition of <i>approved activity</i> to clarify that the activity listed on the VIEW and SNAPET service plans can serve as the approved activity for child care.
	3	Removed “would be, but are not limited to:” from the definition of <i>case status</i> and added “denied” to the listing of statuses.
	3	Changed “CCD Website” to <i>CCECD web site</i> .
	3	Changed definition of <i>CCDF</i> to include updated information concerning the reauthorization of the program.
	3	For clarity, the sentence structure of the definition of <i>Child Care Communication form</i> was reformatted.
	4	Changed word “vendor” to “provider” in definition of <i>child day center</i> .
	4	“Subsidy Programs” was updated to <i>Child Care Subsidy Program</i> providing the proper name for the program

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	4	Added definition of <i>Child Care Worker</i> and removed “case manager.”
	4	Removed “mental retardation” from the definition of <i>children with special needs</i> , added “intellectual disability.”
	4	Updated the definition of <i>Current VIEW Activity and Service Plan or SNAPET Plan of Participation</i> to clarify that the service plan may serve as the application for child care subsidy.
	5	Added language to the definition of <i>denial</i> to clarify when a denial takes place.
	5	Added information about other units within the Division to the definition of <i>Division of Child Care and Early Childhood Development</i> .
	6	Added definition of <i>emancipated minor</i> .
	6	Removed “vendor” from the definition of <i>family day home</i> and replaced it with “provider.”
	6	Updated definition of <i>Family day system</i> for clarity.
	7	Added “state hearing officer or” to definition of <i>finding of child care fraud</i> .
	7	Added the word “payments” to the definition of <i>fraud</i> .
	7	Updated the definition of <i>good cause</i> to include information related to cooperation with the Division of Child Support Enforcement.
	7	Added definition of <i>homeless</i> to the guidance.
	8	Added definition of <i>improper payment</i> .
	8	Added definition of <i>Intentional Program Violation (IPV)</i> .
	8	Updated “Interactive Voice Recognition” to <i>Interactive Voice Response</i> .
	9	Deleted “or by a” from the definition of <i>non-fraud overpayment</i> .
	9	Updated definition of <i>parent</i> to include requirement that parents be at least 18 years of age, unless they are an emancipated minor.
	10	Deleted the word vendor from the definition of <i>provider</i> .
	10	Deleted “means a” and “certificate” from the definition of <i>Purchase of Service Order</i> , added “is the.”
	10	Added definition of <i>recipient</i> to guidance.
	10	Removed reference to LDSS having the appeal found in their favor from the definition of <i>reinstate</i> .
	10	Added language to the definition of <i>religiously exempt center</i> to match language found in Code of Virginia.
	10	Added “semester” to the definition of <i>satisfactory progress</i> .
	10	Updated the definition of <i>screening date</i> to make the wording clearer.
	10	Added definition of <i>service period</i> to the guidance.
	11	Changed the word “suspended” to “discontinued” in the

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		definition of <i>suspend</i> .
	11	Removed definition of <i>temporarily absent from the home</i> .
	12	Added definition of <i>unit price</i> .
	12	Changed <i>unregulated vendor</i> to <i>unlicensed vendor</i> and added "or Department of Defense," to the definition.
	12	Deleted "who can sell services," from the definition of <i>vendor</i> and replaced it with "who is approved to receive payment from the subsidy program."
	12	Added "all child care transactions and" to the definition of <i>Virginia Case Management System</i> .
	13	Updated definition of <i>Virginia Department of Education-approved child care</i> .
	13	Updated language in definition of <i>withdrawal</i> to make it more clear.
1.2., A.	14	Deleted reference to "policies" and replaced it with "guidance."
1.2., A.1.	14	Deleted "for their children."
1.2., A.2.	14	Deleted "family"
1.2., A.3.	14	Deleted "whose" replaced with "with ... who"
1.2., B.	14	Added section concerning families and children to be served by the program.
1.2., C & E	15	Updated references to the state and federal laws and regulations which govern the program.
1.2., D.	15	Removed option for local departments to contract with outside agencies for the management of certain child care services.
2.1., A	18	Added section of guidance referenced in text. Added guidance that local departments must establish communications strategies between child care and TANF.
2.1., B.2. Note	18	Updated language in note to clarify that only local funds can be used to pay for child care for parents attempting to attain post baccalaureate education.
2.1., B.3.	18	Deleted "(ies)" from the word "family" and deleted the words "open as."
2.1., B. Exception	18	Added language denoting the section in VaCMS where the documentation should be placed. Deleted references to SNAPET.
2.1., C.	19	Updated language to denote the correct earned income disregard for which Child Care Workers should be looking.
2.1., D.4.	19	Changed language to denote that the only minors eligible for child care subsidy are those who have the status of being emancipated.
2.1., E.	19	Added "of the sanction" to provide further clarification.
2.1., F.	20	Changed "inactive status" to "non-active status" to better reflect the language used in the TANF/VIEW program guidelines. Removed guidance concerning splitting payments between

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		TANF Working and TANF Education and Training as VaCMS does not provide this capability.
2.2., A.	21	Added referenced sections of the guidance.
2.2., B.	21	Changed “an” to “the.”
		Deleted references to VIEW.
		Added language denoting the section in VaCMS where the documentation should be placed.
2.3., A.	22	Added referenced sections of the guidance.
2.3., C.	23	Deleted reference to children of minor parents as minor parents are no longer eligible for the subsidy.
2.3., D.	23	Deleted reference to TANF worker’s responsibility to inform parents of their right to transitional child care at case opening.
2.3., E.	23	Added the word “on” to the first paragraph for clarity. Added language to second paragraph for clarity.
2.3., F.	25	Added guidance on copayments for Transitional Child Care.
2.4., A.	27	Added the word “category” after program for clarity, and updated the referenced sections of the guidance.
2.4., B. Note	27	Added guidance to ensure that local departments do not authorize care for parents receiving post-baccalaureate education unless local-only funds are used.
2.4., D.	28	Added guidance that once non-Head Start siblings are authorized from Fee Child Care (budget line 883) they cannot be moved to Head Start Wrap-Around funds (budget line 878) due to the local department having a waiting list.
2.4., F.	28	Moved co-payments section regarding Head Start from section on redetermination to this section of the guidance.
2.4., G.	28	Added referenced sections of the guidance.
2.5., A.	30	Added referenced sections of the guidance.
2.5., B. Note	30	Added guidance to ensure that local departments do not authorize care for parents receiving post-baccalaureate education.
2.5., B.3.	30	Deleted “(ies)” from the word “family.”
2.5., D.	31	Added guidance that clarifies that if a person was acting <i>in loco parentis</i> prior to a child entering foster care and that child returns to the same home while still in LDSS custody; that parent would be eligible to apply for child care subsidy.
2.6.	32-34	Added guidance regarding the 72 month limit on Fee Child Care, removed references to the optional five year limit for local departments.
2.7., A.	35	Added copayment range to the guidance for clarity, and updated the referenced sections of the guidance. Added statement that families with non-Head Start children receiving Head Start Child Care must pay a copayment.
2.7., B.	36	Updated the referenced sections of the guidance.

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2.7., C.	36	Added clarification and new requirement that if local departments offer assistance to families they must have that policy approved by their regional Consultant as well as the local board of social services.
2.8.	37	Deleted “a registration,” and replaced it with “an application for” and “or a Waiting List screening form.”
2.8., A.	38	Deleted “associated with the application registration” from the third paragraph, added “the NOA mailed.”
2.8., A.	38	Deleted “runs out” replaced with “is no longer available” in final paragraph of the section.
2.8., C.	39	Updated priority groups to include emancipated teen parents in high school and family units which include a teen parent in high school.
2.8., E	39	Added language to clarify that when a full application is received it must be processed prior to a Waiting List screening being completed.
2.8., F.	40	Added clarification that a waiting list interview may be conducted by phone if the screening information is incomplete.
2.8., J.	41	Added guidance to make it clear that if a minor is on the Waiting List as of the effective date of this guidance, they are not eligible to apply for child care services. Their application/screening date will not change, but when their case is being removed from the Waiting List or updated, the head of household should be updated.
3.1.	44	Moved Confidentiality to the Case Management section of the document.
3.1., A.	44	Added reference to the Federal Privacy Act.
3.1., C.	44	Deleted “never send a copy of the NOA to the vendor or other parties.” This is made clear in the NOA section of the guidance and does not fit in this section.
3.1., D.	45	Added language clarifying that Child Care Workers must not release any information regarding either former recipients of services or persons with no affiliation to the program.
3.2., A.	47	Changed “date of service” to “date of receipt” for clarity.
3.2., B	48	Added Noncooperation with DCSE as a reason for denying an application.
3.3., C.	52	The language in the exception was updated to provide more clarity for Child Care Workers.
3.3., D.7.	52	Added “Department of Homeland Security” and deleted “the service.”
3.3., F.	55	Added the location in VaCMS where residency should be documented. Removed guidance that Child Care Workers cannot photocopy driver’s licenses. Added a requirement that Child Care Workers document in

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		VaCMS if a family is experiencing homelessness and added the location where this documentation should occur.
3.3., G.	55	Added guidance to clarify the need to document the reasons for a child over the age of 13 receiving assistance.
3.3., H.	56	Parent/guardians must be at least 18 years of age, unless an emancipated minor.
		Added a grandfather clause for minors receiving services at the date of implementation of this guidance.
		Added guidance about how to calculate income in the case of a minor parent. Parents of minor parents are standing <i>in loco parentis</i> when applying for care for the minor parent's child.
3.4.	59-70	Added new section on the cooperation that must occur with DCSE in order for a recipient to remain eligible.
3.5., E.	72	Clarified that income must be entered into the system by the Child Care Worker.
	73	Concerning indirect payments, deleted "guidance," and replaced it with "criteria."
3.8.	79	Deleted "and Local Department," from the title of this section.
3.8., A.	79	Updated guidance to align with the regulation; parents have 10 days to report changes to the LDSS.
3.8., A.	79	Added "VaECC card is lost or stolen" to the changes that need to be reported on the Child Care Parent Responsibilities form.
3.8., B.	79	Added guidance concerning DCSE to the responsibility to cooperate in eligibility determination.
3.8., C.	80	Added guidance on the parental responsibility to use ECC Card to track attendance for their child and the responsibility of the local department to ensure parents know how to use the swipe system.
3.8., E.	80	Added guidance concerning the parent's responsibility to vendors in regards to attendance tracking.
3.9.	82	Added "/Responsibilities" to the title of this section.
		Deleted "at the time of this" and replaced it with "During the."
		Changed language of fourth paragraph to make it clear that it is speaking of determining the family unit.
3.9., B.	84	Added references to DCSE forms and requirements for verification of identity and residence.
3.9., C.	84-85	Deleted "evaluate whether," and replaced with "ensure that," and added more language to add more clarity about the purpose of additional contact.
3.9., D.	85	Added guidance to this section that local departments must act on changes within 30 days.
3.10., A	86	Added brief description of the Notice of Action form.
3.10., B.	86	Updated the form number for the medical authorization card.

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3.10., C.	86	Added requirement that verification documentation not provided for in VaCMS should be maintained in the local department's case record.
3.10., D.	87	Added guidance on the usage of DMIS.
3.11., B.	88	Changed language to make it clear that the communication form is used for matters that do not affect eligibility.
3.11., C.	89	Added clarification that Child Care Workers should record information concerning changes in the comments section of the NOA.
3.12.	90	Moved this section of guidance from the vendor management section to the case management section.
		Deleted "are" from the sixth paragraph and replaced it with "appear."
3.12., H	95	Added clarity as to when the department pays for holidays.
3.13.	96-99	Added new "Payments" section to the guidance; this is not new information, but is reorganized for clarity
3.13., A.	96	Added clarification that waiting for a vendor to complete the subsidy approval process is not administrative delay.
3.13., E.	97-98	Added additional guidance concerning in-home care for clarity. Also requires the Child Care Supervisor to ensure that the necessary selections have been made in VaCMS and the necessary paperwork has been completed in order to assure proper payment and withholdings.
3.14.	100	Added language to clarify that contact must be made with recipients at redetermination.
		Added language requiring that parent's work schedule not be unduly disrupted due to eligibility redetermination.
		Added language to clarify that the VIEW and SNAPET plans may serve as the application for child care services.
		Added the referral to DCSE to the note as a form which must be sent along with the redetermination packet.
3.16., A.	104	Added notation that fee child care cases must close after 72 months.
3.16., A.2.	104	Added Noncooperation with DCSE as a closure reason.
3.16., A.4.	104	Added clarification that a vendor must be notified to put in writing any report of a family failing to pay fees.
3.16., A.16.	104	Added new closure reasons for fraud when cases are closed as a result of the ADH process.
3.17., B.	106	Added a list of the program categories which fall under budget line 871.
3.17., C.	106	Updated language for clarity.
3.17., D.	107	Added guidance concerning the funds recovery process in VaCMS.
3.18.	109-111	Moved entire section to the case management portion of the guidance.

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3.18., C.	109	Added language to make case statuses in VaCMS clear.
3.18., D.	110	Added language to clarify authorization statuses.
3.18., E.	110	Updated language to further clarify what “registration” means.
3.18., F.	110-111	Added guidance to require local departments to ensure that recipients are trained on the usage of the POS device.
4.1.	114	Clarified that appeals may be requested orally or in writing.
		Added information regarding continuation and repayment of services rendered during an unfavorable appeal.
		Added link to the appeals manual to the guidance.
4.2.	115-116	Updated relevant sections of the Code of Virginia. Also added a notation that the Commonwealth’s Attorney makes the decision regarding whether an applicant or recipient is charged with fraud.
4.2., A.	115	Added information regarding Intentional Program Violations to this section.
4.3.	117-124	Added guidance on the process of the Administrative Disqualification Hearing.
4.4., A.	125	Added guidance on how to select proper closure reasons in VaCMS related to fraud.
4.4., B.	125	Added language to clarify that a parent does not have to begin repayment if they request an appeal regarding the overpayment until the appeal process is complete.
4.4., C.	125	Added language to clarify that a case should be closed upon missing the third consecutive payment in a repayment schedule.
4.5., D.	127	Added guidance on outstanding overpayments and eligibility due to outstanding overpayments.
4.5., G.	128	Added guidance about the collection of improper payments.
5.1.	132-134	Added details about each type of vendor agreement and the necessary paperwork and processes for approval.
5.2., B.	135	Added vendor requirements for age, having a vendor agreement on file and meeting local ordinance requirements.
5.3.	136	Added note that licensed and license-exempt regulated vendors are considered legally operating, if they are in good standing with their regulatory authority.
5.4.	139	Added requirement for the collection of an email address for prospective vendors.
5.6.	142	Added clarification of which vendors are required to provide documentation for background checks.
	142-143	Added clarification on how unlicensed vendors may satisfy the background check requirements.
5.7.	144	Added clarification related to the exemptions of level two vendors and license-exempt regulated vendors from certain requirements.

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5.7., A.	144	Added clarification as to where tuberculosis screenings must be forwarded.
5.7., E.	147	Added requirement for vendors to have a working telephone on site.
5.7., F.	147	Added requirement that vendors must retain child care payment and attendance records for five years.
5.8.	148-149	Added more guidance on the usage of the VaECC system, including the POS device and the IVR system. Added additional guidance to explain service periods to this section.
5.10.	151	Added guidance that local departments must send copies of vendor fraud investigation final reports to the Vendor Management Coordinator.
Appendix C	156	Updated funding percentages for SNAPET and Quality Initiative Grant Funding.
Appendix E	158-164	Updated barrier crimes for child day programs based on changes to the Code of Virginia.
Appendix P	201-202	Added clarification that if the Child Care Supervisor is the director's designee for fiscal, they must sign both lines on the POSO.

Questions about this transmittal should be directed to Todd Viers, Child Care Subsidy Program Consultant.


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 Commissioner

